

1 Scott J. Sagaria (SBN 217981)  
2 Elliot W. Gale (SBN 263326)  
3 Joe Angelo (SBN 268542)  
4 SAGARIA LAW, P.C.  
5 2033 Gateway Pl., 5<sup>th</sup> Floor  
6 San Jose, CA 95110  
7 Telephone: (408) 279-2288  
8 Facsimile: (408) 297-2299

9 Attorneys for Plaintiff

10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 CAROLE EATON-SPRING,

13 Plaintiff,

14 v.

15 SYNCHRONY BANK, et. al.,

16 Defendants.

Case No.: 5:16-cv-03002-HRL

**PLAINTIFF'S NOTICE OF  
VOLUNTARY DISMISSAL WITH  
PREJUDICE OF DEFENDANT  
SYNCHRONY BANK PURSUANT TO  
FEDERAL RULE OF CIVIL  
PROCEDURE 41(a)(1)**

Judge: Hon. Howard R. Lloyd  
Crtrm: 2, Floor 5

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20 **PLEASE TAKE NOTICE** that Plaintiff Carole Eaton-Spring, Pursuant to Federal Rule  
21 of Civil Procedure 41(a)(1), hereby voluntarily dismisses defendant Synchrony Bank, with  
22 prejudice, as to all claims in this action.

23 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

24 41(a) Voluntary Dismissal

25 (1) By the Plaintiff

26 (a) Without a Court Order. Subject to Rules 23(3), 23.1(c), 23.2 and 66 and any  
27 applicable federal statute, the plaintiff may dismiss an action without a court  
28 order by filing:

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE OF DEFENDANT SYNCHRONY  
BANK PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1) -1-

1 (1) a notice of dismissal before the opposing party serves either an answer or a  
2 motion for summary judgment.

3 Defendant Synchrony Bank has neither answered Plaintiff's Complaint, nor filed a  
4 motion for summary judgment. Accordingly, the matter may be dismissed against it for all  
5 purposes and without an Order of the Court.

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8 DATED: September 30, 2016

**Salaria Law, P.C.**

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10 By: /s/ Elliot Gale  
11 Elliot Gale  
12 Attorney for Plaintiff Carole Eaton-Spring  
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